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| TO: | Examiner Nancy T. Vogel | FROM: | SHELLY GUEST CERMAK |
| FAX: | 571.273.8300 | REF. NO: | US-1520 |
| VOICE: | | PAGES | 14 (incl. this sheet) |
| App. No.: | 10/613,990 | DATE: | September 12, 2005 |

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- 1) This Facsimile Cover Sheet (1 pg)
- 2) Amendment Transmittal Cover Sheet (2 pp)
- 3) Amendment and Response to Notice of Non-Compliant Amendment Under 37 C.F.R. §1.121 (11 pp)



Shelly Guest Cermak
Registration Number 39,571

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Shelly Guest Cermak
Registered U.S. Patent Attorney
scermak@cermak-kenealy.com

Cermak & Kenealy, LLP
515 E. Braddock Road, Suite B
Alexandria, VA 22314
703.778.6608

SEP 12 2005

CERMAK | KENEALY LLP

AN INTELLECTUAL PROPERTY MICROBOUTIQUE™ LAW FIRM

Shelly Guest Cermak
+1 703 778 6608 (V)
+1 703 652 5101 (F)
scermak@cermak-kenealy.com

515-B E. Braddock Road
Alexandria, VA 22314 USA

September 12, 2005

Box Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA. 22313-1450

In re application of: Ishikawa et al.
Application. No.: 10/613,990
Filing Date: July 8, 2003
Atty. Docket No. US-1520
Title: METHOD FOR PRODUCING A TARGET SUBSTANCE
BY FERMENTATION

Sir:

Transmitted herewith is an Amendment in the above-identified application. Please find enclosed:

- ☒ Amendment and Request for Reconsideration: 10 pages.
☐ Petition for Extension of time from the Office Action, mailed , month to :
 page
☐ Information Disclosure Statement: pages.
☐ PTO-1449: pages.
☐ cited references.
☐ PTO-2038 Credit Card Payment Form (fee calculated as shown below): pages.
☐ Other:
☐ A fee is required, as calculated below:

| | (Col. 1) | | (Col. 2) | (Col. 3) |
|--|---|-------|--|--------------|
| | <i>Claims Remaining After Amendment</i> | | <i>Highest No. Previously Paid For</i> | <i>Extra</i> |
| <i>Total</i> | | minus | 20 | |
| <i>Indep.</i> | | minus | 3 | |
| <input type="checkbox"/> First Presentation of Multiple Dependent Claims | | | | |

SMALL ENTITY

| <i>Rate</i> | <i>Fee</i> |
|--------------|------------|
| x \$25 = | \$ |
| x \$100 = | \$ |
| + | \$ |
| \$180= | \$ |
| Total | \$ |

LARGE ENTITY

| <i>Rate</i> | <i>Fee</i> |
|--------------|------------|
| x \$50 = | \$ |
| x \$200 = | \$ |
| +\$360 = | \$ |
| Total | \$ |

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

U.S. Patent and Trademark Office

Page 2 of 2


12 September 2005

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

Please accept payment of the above-calculated fees, and any extension of time fees, or any IDS fees by the following payment method:

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☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims.
☒ Any patent application processing fees under 37 C.F.R. § 1.17.

Respectfully submitted,


Shelly Guest Cermak
Reg. No. 39,571

U.S. P.T.O. Customer No. 38108

Cermak & Kenealy, LLP
515 E. Braddock Road, Suite B
Alexandria, VA 22314
703.778.6608

Date: September 12, 2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ishikawa et al.

Art Unit: 1636

Application No.: 10/613,990

Examiner: Nancy T. VOGEL

Filing Date: July 8, 2003

Attorney Ref. No.: US-1520

For: METHOD FOR PRODUCING A
TARGET SUBSTANCE BY
FERMENTATION

VIA FACSIMILE TO: 571 273 8300

AMENDMENT AND RESPONSE TO NOTICE OF NON-COMPLIANT

AMENDMENT UNDER 37 C.F.R. §1.121

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This amendment is in response to the Notice of Non-Compliant Amendment mailed September 8, 2005. Since the original amendment, filed June 10, 2005, was in response to a non-final office action, this response is timely filed within the one month time period from the date of mailing of the Notice of Non-Compliant Amendment. Therefore, please amend the above-captioned patent application as follows. The only difference between this amendment and response and that filed June 10, 2005 is the correction to the underlining and indication of deleted text in claim 9. For this reason, the Exhibits A and B referred to herein have not been re-submitted.